

**Wisconsin River Rail Transit Commission
Commission Meeting - Friday, January 5, 2018 at 10:00 am
Dane County Highway Garage 2302 Fish Hatchery Rd, Madison, WI**

1. 10:05 AM **Call to Order** – *Alan Sweeney, Chair*
2. Roll Call. **Establishment of Quorum** – *Matthew Honer*

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	X	Rock	Terry Thomas	X
	Rocky Rocksford	X		Wayne Gustina	X
	Derek Flansburgh	X		Alan Sweeney, <i>Chair</i>	X
Dane	Gene Gray, <i>Treasurer</i>	X	Sauk	Marty Krueger, <i>Alternate</i>	X
	Jim Flemming	<i>absent</i>		Chuck Spencer	X
	Chris James, <i>Vice Secretary</i>	X		Craig Braunschweig	<i>Excused</i>
Grant	Gary Ranum	X	Walworth	Dave Riek, <i>3rd Vice Treasurer</i>	X
	Mike Lieurance	X		Eric Nitschke	X
	Robert Scallon, <i>1st Vice Chair</i>	X		Richard Kuhnke, <i>2nd Vice Treasurer</i>	X
Iowa	Charles Anderson, <i>Secretary</i>	<i>Excused</i>	Waukesha	Allan Polyock	<i>Excused</i>
	William G Ladewig	X		Dick Mace	X
	Jack Demby	X		Richard Morris	X
Jefferson	Mary Roberts	<i>Excused</i>		Karl Nilson, <i>4th Vice Chair</i>	X
	Gary Kutz	X			
	Augie Tietz, <i>3rd Vice Chair</i>	X			

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Matt Honer - <i>WRRTC Administrator</i> • Jim Matzinger – <i>Dane County Highway</i> • Autumn Luedke – <i>Sauk Prairie Eagle</i> 	<ul style="list-style-type: none"> • Rich Kedzior, Kim Tollers, Lisa Stern – <i>WisDOT</i> • Alan Anderson – <i>Pink Lady RTC</i>
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3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Honer.*
 - *Motion to approve meeting’s public notice – Ladewig/Cornford. Passed Unanimously.*
4. Action Item. **Approval of Agenda** – *Prepared by Honer.*
 - *Motion to approve the agenda – Thomas/Gustina. Passed Unanimously.*
5. Action Item. **Approval of draft December 5th and December 22nd 2017 Meeting Minutes**– *Prepared by Honer.*
 - *Motion to approve both meeting minutes with minor changes – Mace/Kuhnke. Passed Unanimously.*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*

There was no public comment.

7. Updates. **Announcements by Commissioners**

There was no announcement.

REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report – Jim Matzinger, Gene Gray, Treasurer.

- Treasurer’s Report for January and Payment of Bills

Matzinger presented the year-end balance sheet which is nearly finalized, but missing a few invoices. Matzinger reported that the Commission has not billed WSOR for the 2017 project as of yet. There was a \$25k deficit on the WRRTC fund account due to being over budget on legal counsel in 2017. There were two bills for the 2016 Audit and November accounting by Dane County Highway. Nilson asked about how negative amounts are indicated on the final column of the income statement sheet. Matzinger stated that it is in parenthesis if it is under-budget. Gray asked if the Commission should be receiving additional bills for 2017. Matzinger stated there will be another bill from Dane County.

- o Motion to approve the balance sheet, treasurer report, and payment of bills – Thomas/Tietz. Passed Unanimously.

- Report on 2017/2018 contribution to Sauk Bridge stabilization

Matzinger reported that the projected actual cost of the Sauk Bridge project is reflected as the combination of the contractor’s bid and the project manager costs for a total of \$916,100.00. The Project Cost Sharing sections of the handout shows how the project will be paid for, \$105,400 will be paid cash from the 2018 budget, \$200,000 will be paid by the loan from WisDOT, and \$305,400 will be provided by WSOR’s reimbursement. The final section of the projected costs reflects the repayment schedule for the loan at 2% interest to the Commission from WisDOT. The repayment scheduled assumes that we will borrow the full \$200K. Sweeney stated that this report is tied to the amended budget action item that is later on the agenda. Matzinger reported that the Commission will add an expense to the 2018 budget for the Sauk Bridge when it amends the budget.

- Discussion and Action on the Bridge Project revenue from salvage

Matzinger reported that the Commission received \$15,162.79 from the salvage of the project rail. Matzinger stated that another budget amendment would be to add an expense for \$15,162.79 to reimburse Sauk County for the rail removal. Mace asked if the Mid-Continent received any rail. Krueger stated that Mid-Continent did not receive any rail due to a delay in their response. Krueger stated that the Sauk County Economic Development Committee donated some material to the Circus World Museum for which the Commission was reimbursed. Gray asked if there is any additional revenue on the first segment of the track removal. Krueger stated that there is no revenue but there are still expenses due to tie disposal.

- o Motion to transfer to Sauk County \$15,162.79 revenue from the salvage of rail ties currently held in the Bridge Project to assist in tie disposal – Morris/Cornford. Roll Call. Passed Unanimously

Crawford	Tom Cornford, 2nd Vice Chair	X	Rock	Terry Thomas	X
	Rocky Rocksford	X		Wayne Gustina	X
	Derek Flansburgh	X		Alan Sweeney, Chair	X
Dane	Gene Gray, Treasurer	X	Sauk	Marty Krueger, Alternate	X
	Jim Flemming	Absent		Chuck Spencer	X
	Chris James, Vice Secretary	X		Craig Braunschweig	Absent
Grant	Gary Ranum	X	Walworth	Dave Riek, 3rd Vice Treasurer	X
	Mike Lieurance	X		Eric Nitschke	X
	Robert Scallon, 1st Vice Chair	X		Richard Kuhnke, 2nd Vice Treasurer	X
Iowa	Charles Anderson, Secretary	Excused	Waukesha	Allan Polyock	Excused
	William G Ladewig	X		Dick Mace	X
	Jack Demby	X		Richard Morris	X
Jefferson	Mary Roberts	Excused		Karl Nilson, 4th Vice Chair	X
	Gary Kutz	X			
	Augie Tietz, 3rd Vice Chair	X			

WRRTC January 2018 MEETING MINUTES – APPROVED

- Discussion and Action to adjust the 2018 budget

Matzinger stated he will need to adjust the amended budget to reflect the revenue from WSOR and increase the spending based on the demolition costs. Mace asked where the additional income will be added. Matzinger stated that there will be an additional revenue line item for it. Sweeney suggested using the line item, Sauk Bridge Demolition Project Reimbursement. Matt will send the amended budget.

- *Motion to approve the resolution authorizing the amendment of the 2018 Budget with the additional adjustments made by Matzinger. – Mace/Thomas. Roll Call. Passed Unanimously.*

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	X	Rock	Terry Thomas	X
	Rocky Rocksford	X		Wayne Gustina	X
	Derek Flansburgh	X		Alan Sweeney, <i>Chair</i>	X
Dane	Gene Gray, <i>Treasurer</i>	X	Sauk	Marty Krueger, <i>Alternate</i>	X
	Jim Flemming	<i>Absent</i>		Chuck Spencer	X
	Chris James, <i>Vice Secretary</i>	X		Craig Braunschweig	<i>Absent</i>
		Dave Riek, <i>3rd Vice Treasurer</i>		X	
Grant	Gary Ranum	X	Walworth	Eric Nitschke	X
	Mike Lieurance	X		Richard Kuhnke, <i>2nd Vice Treasurer</i>	X
	Robert Scallon, <i>1st Vice Chair</i>	X		Allan Polyock	<i>Excused</i>
Iowa	Charles Anderson, <i>Secretary</i>	<i>Excused</i>	Waukesha	Dick Mace	X
	William G Ladewig	X		Richard Morris	X
	Jack Demby	X		Karl Nilson, <i>4th Vice Chair</i>	X
Jefferson	Mary Roberts	<i>Excused</i>			
	Gary Kutz	X			
	Augie Tietz, <i>3rd Vice Chair</i>	X			

9. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR

Lucht reported that the contractor was provided a reward letter based on action taken at the December 22nd Commission meeting. The Commission and WSOR are currently waiting on insurance, performance bond, and signed contract. Sweeney asked if the project delay will be resolved this upcoming week. Lucht stated this should be taken care of in coming days. James asked if it is possible for the contractor to pull the existing buoys out of the water. Lucht stated that he would talk to Dave Bierman about this.

10. WisDOT Report – Rich Kedzior, Kim Tollers, Teri Beckman, WisDOT.

No reports from WisDOT.

11. WRRTC Correspondence/Communications and Administrator’s Report – Honer, Admin.

Honer reported that he received a certificate of liability insurance from *County Line Sno Busters* for the use of four established crossing locations in Dane County. Honer reported that he was in discussion with Ken Lucht regarding a temporary access permit for *Scot Forge Fence*. Honer provided a private crossing permit for Don Gritmacker in Belden, Illinois for the first farm crossing west of Illinois Route 173 to WSOR and spoke with the applicant. Honer communicated with the Iowa County Highway Commissioner regarding the Commission’s assets. He also communicated with someone wishing to purchase a signal from the crossing at County Y in Dane County if that line were to be removed.

Honer reported that he spoke with Kedzior regarding the Commission’s upcoming responsibilities for the Sauk Bridge Project. Based on his conversations he reported that he will plan to make 4 – 5 site visits in order to follow up on progress and quality control as invoices begin to appear. Particularly he will also be following up with the contractor and WSOR to keep track of the bridge inventory and tie counts. Honer stated that invoicing related to the bridge project is considered part of the regular administrative work but expected site visits are considered part of the project management. Honer reported that his conservative estimate for 4 – 5 site visits would be \$1320 - \$1880 with mileage. Honer stated that he will attempt to coordinate site visits for the bridge and for the track removal simultaneously to share costs between the two projects.

Ranum asked why the Commission would have two project managers, as the Commission had already hired WSOR to be project manager. Julia Potter stated that the commission is required to have someone representing solely the Commission's interest working on the project and that there are items within the contract that the commission is responsible for.

12. Discussion and Action on the removal of WRRTC property between Patterson and Brearly Streets, Madison, WI – Ken Lucht, WSOR

Lucht handed out a map showing a section of the Reedsburg Subdivision in downtown Madison. Lucht stated that a contractor was hired to remove the track that was agreed to by the Commission. The contractor had removed more rail than they should have. Lucht stated that the additional track that was removed by the contractor was stock piled in the Johnson Street Yard. Lucht stated that WSOR found the most favorable scrap prices and is willing to pay the Commission for the scrap prices of the rail reflected on the handout Lucht provided. Lucht stated the other option is to ask the contractor to reinstall the material. Lucht stated that there is currently no need for this track. Previously the track could be used to store cars but they currently have enough room in their yard. Lucht stated that the proposal is for WSOR to pay the Commission for the rail and to use the rail on other parts of the WRRTC system. Mace asked if the line extends west of Livingston St. and if it serves anybody past there. Lucht stated that the line has been removed at that point. Demby asked who was originally responsible for the disposal of ties as part of the original contract. Lucht stated the contractor was originally responsible for the disposal of the ties. Demby asked why the contractor was not responsible for disposal of the extra ties that were removed. Lucht responded that it was a good question and that the ties are currently stock piled in the WSOR yard. Nilson clarified the handout with Lucht that the track within the red box noted on the map has been removed and the arrow that says industry track is the track that was removed by accident. Ladewig asked Lucht how much it would cost the contractor to reinstall the material, stating his point that the contractor is getting away with making a mistake without penalty. Mace asked how many cars the area removed would provide storage for. Lucht responded 10 – 11 cars.

- *Motion to approve the sale as proposed by WSOR - Ladewig/Nilson. Passed Unanimously.*

13. Discussion, and Action regarding Scot Forge Temporary Use Permit – Lucht, WSOR

Lucht stated that Scot Forge, a customer of theirs on the Fox Lake subdivision, is requesting a permit to build 300 feet of security fence to protect their yard. Lucht handed out a map of the area and a copy of the temporary use permit. Lucht stated that the cost of the temporary use permit is \$1000. Lucht stated that the applicant, Scot Forge, is required by a governmental customer of theirs to have additional security measures. Scot Forge is looking to comply with that requirement. The temporary use permit would be effective once approved until the Commission or applicant were to decide otherwise. The permit requires the applicant to hold general liability insurance with WRRTC and WSOR as additional insured. They have not paid the permit fee and they have questions about the final sentence of the permit regarding indemnification. Ken suggested the Commission wait to take action until its February meeting, Potter agreed.

- *Motion to hold action on the Temporary Use Permit Application – Krueger/Ladewig. Passed Unanimously*

14. Discussion, and Action regarding Parcel Sale – Village of Shorewood – Kim Tollers – WisDOT

Tollers stated that the university came to WSOR and WisDOT to see how to extend Blackhawk path. The university proposed that the WisDOT sell the small parcel, outlined in blue on the handout, to the university. In the discussion, WSOR proposed that the university install a fence to stop trespassing along the right of way along University Avenue. WisDOT requested the removal of a bus stop and improvements made to the University Bay Dr. Tollers stated that because it is within 33' of the center line WisDOT needs concurrence with WSOR and WRRTC. Lucht stated that WSOR views this as a very small piece of property that will likely never be used for rail use again. WSOR suggested that the village build a fence between Marshall Ct and University Bay Dr. Nitschke asked if the Village of Shorewood Hills is required to maintain the fence. Tollers stated that negotiations for the sale of the property has not begun. Ladewig asked if WisDOT prefers to sell the property. Tollers stated that WisDOT would like sell the property.

- *Motion to recommend the sale of the parcel by WisDOT to Shorewood Hills with the condition that the Village of Shorewood Hills be responsible to maintain the fence that they have agreed to build between University Ave and Marshall Ct in perpetuity. – Nitschke/Cornford. Passed Unanimously.*

15. Adjournment

Motion to Adjourn at 11:00 pm – Gustina/Cornford. Passed Unanimously.